

THE HON'BLE SRI JUSTICE K.C.BHANU

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CIVIL REVISION PETITION No.1153 OF 2015

ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908 (for short, 'CPC'), is filed aggrieved by not numbering the Execution Application filed against order, dated 30.10.2014, in Execution Petition No.98 of 2013 in Original Suit No.246 of 2011 on the file of the Principal Junior Civil Judge, Repalle, Guntur District. Concede

2. The aforesaid Execution Application was filed under Order XXI Rules 89, 90 and Section 151 CPC to set aside the sale held on 30.10.2014 and the same was returned on 30.12.2014 with the following objections:

“1) How the petition is maintainable with two prayers.

2) Lodgment schedule not filed.”

3. As seen from the prayer in the petition, only one prayer was sought for by the petitioner, but the lodgment schedule has not been filed. Therefore, the petitioner is directed to comply with the second objection before the Court below.

4. Accordingly, the Civil Revision Petition is disposed of with a direction to the petitioner to comply with the second objection and thereafter, the Court below is directed to number the application if otherwise in order. There shall be no order as to costs.

5. Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

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THE HON'BLE SRI JUSTICE K.C.BHANU

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DATE: 27.03.2015

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